

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P O Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-LLCON02000-2014-0037-CX

CASEFILE/PROJECT NUMBER: COC-76548

PROJECT NAME: Pumphouse Road donated easement, COC-76548

LEGAL DESCRIPTION: Grand County,
T. 1 S., R. 82 W., Section 13, 6th P.M.

APPLICANT: BLM

DESCRIPTION OF PROPOSED ACTION:

Colorado Parks and Wildlife would donate the segment of the Pumphouse Road that is under their jurisdiction in T. 1 S., R. 82 W., Section 13 to the BLM. The donated easement encompasses the proposed alignment of the Federal Highway Administration's improved Pumphouse Road.

Background: The Federal Highway Administration (FHWA) allocates funding to the BLM for Federal Lands Transportation Program (FLTP) projects. Funding was made available in FY14 for Pumphouse Road to be scoped and subsequently to prepare plans, specification, and estimate (PS&E) for a future construction project. Central Federal Lands Highway Division (CFL) is the FHWA entity responsible for design and construction of roads on Federal lands located in central/western U.S. CFL will administer the design and construction of the Pumphouse Road improvement. The proposed project will realign the existing road to improve visibility and overall safety. The new alignment would require road construction on the state lands conveyed in this easement.

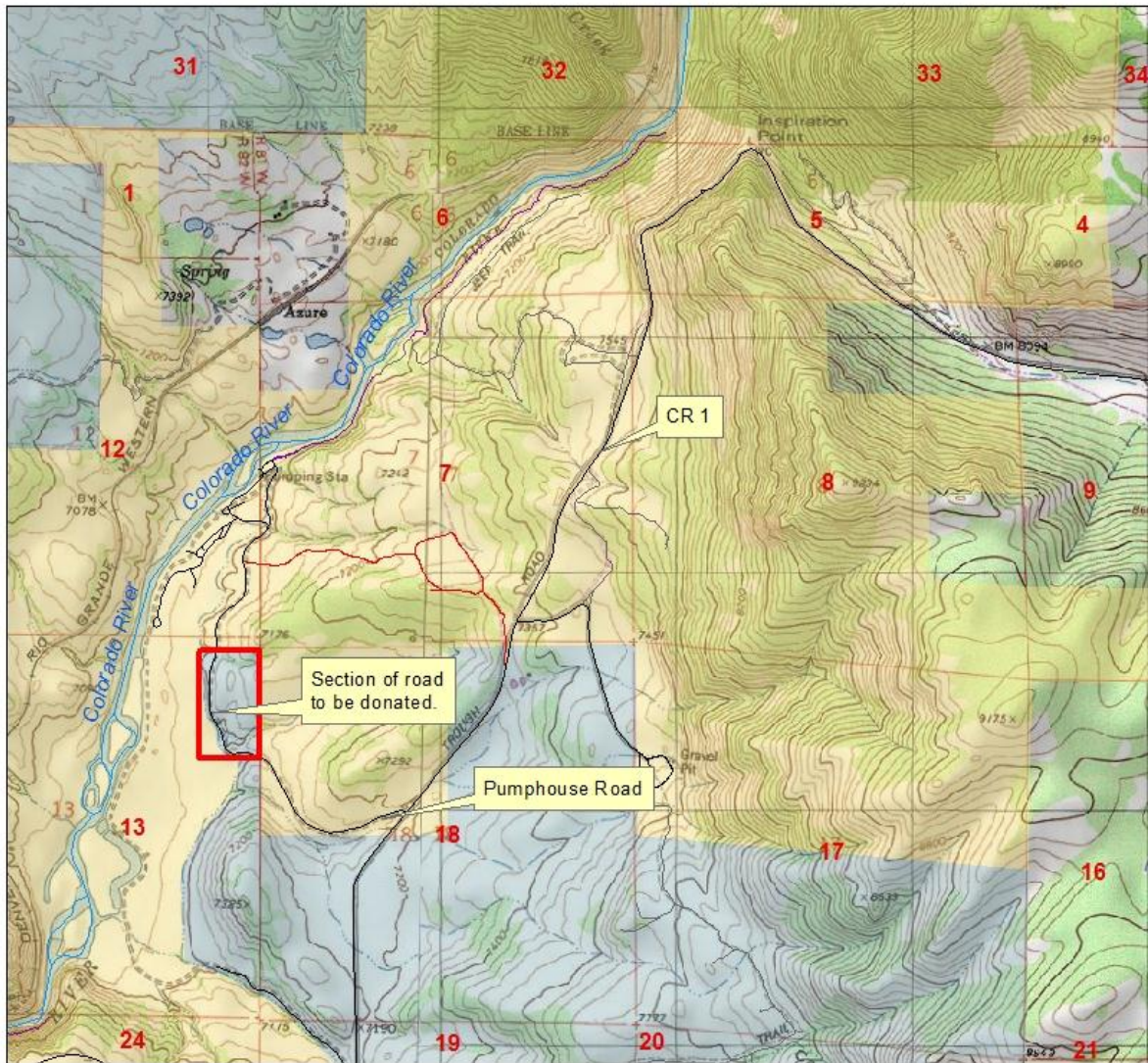
DOI-BLM-LLCON02000-2014-0037-CX



Pumphouse Road Easement COC-76548



T. 1S R. 82W



Legend
Land Status
Land Status
Bureau of Land Mgt
Division of Wildlife
National Park
US Forest Service
National Wildlife Refuge
Private
State
State Forest

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Annie Sperandio, 1-14-2013
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0 0.1 0.2 0.4 Miles



OFFICE OF THE COUNTY CLERK
COUNTY OF GRAND, COLORADO
RECEIVED MAY 4 1962
955330

CORRECTION OF
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That PAUL R. HEENEY AND MARGARET M. HEENEY of the County of Grand, and State of Colorado, for the consideration of Twenty-three Thousand and No/100 (\$23,000.00) Dollars, in hand paid, hereby sell and convey to THE STATE OF COLORADO for the use and benefit of the GAME AND FISH COMMISSION the following real property, situate in the County of Grand and State of Colorado, to-wit:

T. 1 S., R. 81 W., 6 P.M.
Sec. 17: S 1/2;

Sec. 18: E 1/2 NE 1/4, W 1/2 NE 1/4 except the following described area: Beginning at a point from whence the NE corner of said Sec. 18 bears N 68°27' 07" E 1425.14' thence S 75°20' E a distance of 22' to the point of beginning. Thence N 79°21' 41" W a distance of 448.80' to point #1 thence S 38°30' W 1390' to point #2, thence S 1°14' E a distance of 548.80' to point #3, thence N 88°52' E a distance of 450', thence N 29°05' E a distance of 1747' more or less to the point of beginning. Said tract containing 22.67 acres more or less.)

E 1/2 SW 1/4, SE 1/4, Lot 3, Lot 4 except that portion described as follows: Beginning at the SW corner of Sec. 18 thence N 1°00' W along the W boundary line of Sec. 18, a distance of 422.38', thence S 72°23' E a distance of 228', thence S 47°23' E a distance of 516', thence S 89°36' W along the south boundary line of Sec. 18, a distance of 589.80' more or less to the point of beginning. Said tract containing 3.53 acres more or less.

Sec. 19: NE 1/4, N 1/2 SE 1/4, N 1/2 NW 1/4 except that portion described as follows: Beginning at a point on the North boundary line of said Sec. 19 from whence the NW corner of Sec. 19 bears S 89°36' W a distance of 589.80' thence S 47°23' E a distance of 600' thence S 54°10' E a distance of 480' thence S 12°00' E a distance of 270' thence S 61°53' W a distance of 297' thence S 52°25' W a distance of 108' thence S 75°25' W a distance of 110' thence N 64°00' W a distance of 690' thence N 84°10' W a distance of 310' thence N 41°00' W a distance of 100' to the West boundary of Sec. 19 thence N 1°00' W along the west boundary of Sec. 19 a distance of 760' to the NW corner of Sec. 19, thence N 89°36' E along the north boundary of Sec. 19 a distance of 589.80' more or less, to the point of beginning. Said tract containing 25.26 acres more or less.

Sec. 20: W 1/2, SW 1/4 NE 1/4, W 1/2 SE 1/4

T. 1 S., R. 82 W., 6 P. M.

Sec. 13: That portion of Tract 53 lying west of the centerline of the Colorado River and that portion of Tracts 53 and 54 lying east of the ditch and fence line more particularly described as follows: Beginning at a point from whence the SE corner of said Sec. 13 bears S 1°00' E a distance of 422.38', thence N 1°00' W along the east boundary of Sec. 13 a distance of 2180', thence N 1°10' W along E boundary of Sec. 13, a distance of 2605.02' thence west along the north boundary line of Tract 53 a distance of 820' thence S 7°50' W a distance of 510', thence S 7°10' W a distance of 476', thence S 25°18' E a distance of 520', thence S 44°35' E a distance of 180', thence S 60°43' E a distance of 170' thence S 18°13' W a distance of 420' thence S 35°42' W a distance of 210', thence S 32°45' W a distance of 140' thence S 46°00' W a distance of 225' thence S 24°49' W a distance of 880' thence S 3°10' W a distance of 286' thence S 7°57' E a distance of 180', thence S 25°08' E a distance of 315' thence S 30°15' E a distance of 740' thence S 67°50' E a distance of 460' thence S 32°45' E a distance of 155', thence S 72°23' E a distance of 74' more or less to point of beginning. Said tract containing 77.28 acres, more or less.

Sec. 24: That portion of the NE 1/4 NE 1/4 described as follows: Beginning at a point from whence the NE corner of said Sec. 24 bears N 1°00' W a distance of 760' thence S 0°55' E along the East boundary of Sec. 24, a distance of 553', thence West a distance of 1000', thence N 57°50' E a distance of 370', thence N 59°18' W a distance of 415', thence N 83°15' E a distance of 350', thence N 55°52' E a distance of 370', thence N 86°55' E a distance of 150', thence S 85°49' E a distance of 249' more or less to the point of beginning. Said tract contains 17.04 acres more or less.

All of the above described land containing 1877.81 acres more or less, together with all grazing privileges on the Public Domain, and together with any and all water and water rights, and ditches and ditch rights, appertaining thereto, with all appurtenances, and warrant the title to the same, subject to

Signed and delivered this 26 day of ^{April}~~March~~, A. D. 1962

In the presence of

Paul R. Heeney (SEAL)

x Margaret Neuhay (SEAL)

(SEAL)



STATE OF COLORADO)
County of Grand) ss.

The foregoing instrument was acknowledged before me this 26 day of ^{April}~~March~~, 1962 by Paul R. and Margaret Heeney

Witness my hand and official seal

My commission expires

JUNE 18, 1964

Earl G. Janschied

Notary Public

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Page 14

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E., (16): Acquisition of easements for an existing road or issuance of leases, permits, or right-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X

Extraordinary Circumstance	YES	NO
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on 9-9-2014. A complete list of resource specialists who participated in this review is available upon request from the Kremmling Field Office.

Name	Title	Resource	Date
Bill Wyatt	Archaeologist	Cultural Resources, Native American Tribal Consultation	9/9/2014
Darren Long	Wildlife Biologist	Special Status Plant/Wildlife Species	9/15/2014
Paula Belcher	Hydrologist	Soil, Air, Water & Riparian Resources	9/16/2014

REMARKS:

Cultural Resources: The proposed action is not a Section 106 undertaking under the National Historic Preservation (NHPA) Act of 1966, as amended. Therefore, State Historic Preservation Officer (SHPO) concurrence is not necessary.

American Indian Tribal Consultation: Because the proposed action is not an undertaking under Section 106 of the NHPA tribal consultation was not initiated under the NHPA.

Special Status Plants: A small portion of this easement was included in a biological survey report conducted in June of 1999 by the Colorado Natural Heritage Program for the presence of the BLM sensitive species Harrington Penstemon (*Penstemon harringtonii*). Surveys for a more up to date presence of this species are warranted prior to any physical action that may take place in this easement. Since this donation of this easement is a paperwork exercise, no impact is expected to this species as a result.

NAME OF PREPARER: Annie Sperandio

NAME OF ENVIRONMENTAL COORDINATOR: Susan Valente

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(17). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Stephanie Odell
Field Manager

DATE SIGNED: 10/17/2014

U.S. Department of the Interior, Bureau of Land Management
Kremmling Field Office, P O Box 68, Kremmling, CO 80459

DECISION RECORD

PROJECT NAME: Pumphouse Road donated easement, COC-76548

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-LLCON02000-2014-0037-CX

DECISION: It is my decision to implement the Proposed Action, DOI-BLM-LLCON02000-2014-0037-CX, authorizing an easement donation, COC-76548.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN:

This decision is in compliance with the Federal Land Management and Policy Act, the Endangered Species Act, and the National Historic Preservation Act. It is also in conformance with the December 19, 1984; Updated February 1999 Kremmling Resource Management Plan (RMP).

PUBLIC INVOLVEMENT: The CX will be available for a formal 30-day public comment period when posted on the Kremmling Field Office's internet website.

RATIONALE: The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E(17). This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

ADMINISTRATIVE REMEDIES: Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Rocky Mountain Region, U.S. Department of Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on BLM's Kremmling Field Office internet website.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/Stephanie Odell
Field Manager

DATE SIGNED: 10/17/2014